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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,578	01/05/2004	Michael Kiessling	M.KIESSLING 3-1	3087

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EXAMINER

REGO, DOMINIC E

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/07/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/07/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@hittgaines.com

Office Action Summary	Application No. 10/751,578	Applicant(s) KIESSLING ET AL.	
	Examiner Dominic E. Rego	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-13 and 15-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-13 and 15-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-13, and 15-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Yoo (*US Patent Application Publication #20040185919*) in view of Rydbeck (*US Patent #5,590,417*).

Regarding claim 1, Yoo teaches a communication subscriber device, comprising:

a subscriber basic unit (Figure 1A and 1B); and

an audio/speaking unit (Figure 1A, element 107), detachably interengageable with said subscriber basic unit, that provides audio and speaking functionality for said subscriber basic unit (Paragraphs 0010, 0024, and 0039), but fails to teach wherein said subscriber basic unit comprises a charging station for said audio/speaking unit.

However, in related art, Rydbeck teaches a communication subscriber device, wherein subscriber basic unit comprises a charging station for audio/speaking unit (See *abstract, Col 2, lines 10-18: Rydbeck teaches the headset is removably attachable to a user's head, typically by an ear clip which fits behind the user's ear. The headset may further include a rechargeable battery for supplying power to the transceiver means and*

the amplifying means. The rechargeable battery may be recharged by the radiotelephone body when the headset is attached thereto).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the above teaching of Rydbeck to Yoo, in order to provide power to the audio/speaking unit.

Regarding claims 2 and 12, the combination of Yoo and Rydbeck teach all the claimed elements in claim 1 and 11. In addition, Yoo teaches the communication subscriber device wherein a short-range wireless link allows communication between said subscriber basic unit and said audio/speaking unit (Paragraphs 0010 and 0011).

Regarding claims 3 and 13, the combination of Yoo and Rydbeck teach all the claimed elements in claim 1 and 11. In addition, Yoo teaches the communication subscriber device wherein said audio/speaking unit comprises an energy supply unit (*Paragraph 0053: Yoo teaches the power source 634 may comprise, e.g., a battery pack attached to/carried within the wireless connected unit 607*).

Regarding claim 5, the combination of Yoo and Rydbeck teach all the claimed elements in claim 1 and 11. In addition, Yoo teaches the communication subscriber device wherein said subscriber basic unit and said audio/speaking unit have complementary interfaces for electrically connecting said subscriber basic unit and said audio/speaking unit together (*Paragraph 0053: Yoo teaches the wireless connected unit 607 preferably includes an independent power source 634 for powering the connected unit when in use as a headset for electrically connecting subscriber basic unit and audio/speaking unit together*).

Regarding claims 6 and 15, the combination of Yoo and Rydbeck teach all the claimed elements in claim 1 and 11. In addition, Yoo teaches the communication subscriber device wherein said audio/speaking unit is constructed as a single unit (*Paragraph 0024: Yoo teaches the communication subscriber device 1A wherein audio/speaking unit (detachable speaker 101 and microphone 103 are joined by a detachable connector 105 to form a detachable connected unit 107) is constructed as a single unit*).

Regarding claims 7 and 16, the combination of Yoo and Rydbeck teach all the claimed elements in claim 1 and 11. In addition, Yoo teaches the communication subscriber device wherein said audio/speaking unit has only one microphone and one loudspeaker (*Paragraphs 0024: Yoo teaches a phone handset 100 having a detachable speaker 101 and detachable microphone 103 joined by a detachable connector 105 to form a detachable connected unit 107*).

Regarding claims 8 and 17, the combination of Yoo and Rydbeck teach all the claimed elements in claim 1 and 11. In addition, Yoo teaches the communication subscriber device wherein said audio/speaking unit is constructed as a selected one of: a hands-free kit, and a headset (*Paragraphs 0010 and 0011*).

Regarding claims 9 and 18, the combination of Yoo and Rydbeck teach all the claimed elements in claim 1 and 11. In addition, Yoo teaches the communication subscriber device wherein said audio/speaking unit is rigid (*Paragraphs 0024 and 0025: Yoo teaches a phone handset 100 having a detachable speaker 101 and detachable microphone 103 joined by a detachable connector 105 to form a detachable connected*

unit 107, the connector may comprised of a rigid material).

Regarding claims 10 and 19, the combination of Yoo and Rydbeck teach all the claimed elements in claim 1 and 11. In addition, Yoo teaches the communication subscriber device wherein said communication subscriber device is a mobile telephone (*Figure 1A and 1B*).

Regarding claim 11, Yoo teaches an audio/speaking unit (Figure 1A, element 107), comprising:

a mechanical interface configured to allow said audio/speaking unit to be detachably interengageable with a subscriber basic unit (Paragraphs 0010, 0024, and 0039: *Yoo teaches a phone handset 100 having a detachable speaker 101 and detachable microphone 103 joined by a detachable connector 105 to form a detachable connected unit 107, the connected unit is detachable from the phone handset to provide a hand-free headset wearable by a user*);

an electrical interface configured to communicate with said subscriber basic unit; and a microphone and a loudspeaker coupled to said electrical interface and configured to provide audio and speaking functionality for said subscriber basic unit (*Paragraph 0056: Yoo teaches when the wireless connected unit 607 is attached to the handset, the power supply, antenna, etc. of the handset 600 are preferably employed to operate the speaker 601 and the microphone 603*), but fails to teach wherein said subscriber basic unit comprises a charging station for said audio/speaking unit.

However, in related art, Rydbeck teaches a communication subscriber device, wherein subscriber basic unit comprises a charging station for audio/speaking unit (See

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abstract, Col 2, lines 10-18: Rydbeck teaches the headset is removably attachable to a user's head, typically by an ear clip which fits behind the user's ear. The headset may further include a rechargeable battery for supplying power to the transceiver means and the amplifying means. The rechargeable battery may be recharged by the radiotelephone body when the headset is attached thereto).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the above teaching of Rydbeck to Yoo, in order to provide power to the audio/speaking unit.

Response to Arguments

3. Applicant's arguments, see pages 7 and 8, filed 12/07/2006, with respect to the rejection(s) of claim(s) 1-3,5-13, and 15-19 under 35 U.S.C. 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Rydbeck (US Patent #5,590,417).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic E. Rego whose telephone number is 571-272-8132. The examiner can normally be reached on Monday-Friday, 8:30 am-5 pm.

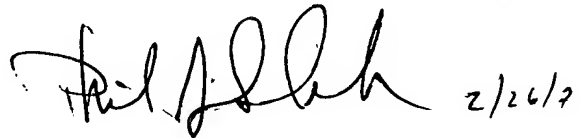
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Dominic E. Rego



PHILIP J. SOBUTKA
PATENT EXAMINER